

ONTARIO ATTORNEY GENERAL LAW LIBRARY
HQ 72 C2 O571 1993 STK
Guide to assist in the understanding of



00006783

GUIDE TO ASSIST IN THE
UNDERSTANDING OF THE VERDICT
OF THE JURY SERVING ON THE INQUEST
INTO THE DEATH OF
CHRISTOPHER STEPHENSON.

February 8, 1993

HQ
72
C2
O571
1993

HQ 72 C2 0571 1993

Ontario. Office of the Chief
Coroner.

Guide to assist in the
understanding of the verdict of *the*
jury serving on the inquest...
Christopher Stevenson.

HQ 72 C2 0571 1993

Ontario. Office of the Chief Coroner.

Guide to assist in the
understanding of the verdict of the jury
serving on the inquest ...
Christopher Stevenson.

ONTARIO
MINISTRY OF THE
ATTORNEY GENERAL
LAW LIBRARY

**GUIDE TO ASSIST IN THE
UNDERSTANDING OF THE VERDICT
OF THE JURY SERVING ON THE INQUEST
INTO THE DEATH OF
CHRISTOPHER STEPHENSON**

PREPARED BY THE PRESIDING CORONER

DR. JAMES T. CAIRNS

DEPUTY CHIEF CORONER FOR ONTARIO

February 8, 1993

10

11/11/11
1/20/12
1/20/12

I intend to give a brief synopsis of the issues presented at this Inquest and explain in some detail the reasons for the jury's recommendations. I would like to stress that much of this will be my interpretation of the evidence and my interpretation of the Jury's reasons. My sole purpose for this is to assist the reader to more fully understand the Verdict and Recommendations of the Jury and is not intended to be considered as the actual evidence presented at the Inquest. It is not in any way intended to replace the Jury's Verdict.

The Inquest, which heard evidence from ninety (90) witnesses over a four and half month period, examined in detail the events that led up to Christopher Stephenson, age eleven (11), being kidnapped, sexually assaulted and murdered by Joseph Fredericks, a well known psychopath and homosexual pedophile. Evidence was led which detailed Fredericks' life from birth, through foster homes, the Ontario Mental Health system, the Ontario Correctional system, the Federal Correctional system and finally the Federal Parole system. Much of the evidence dealt with how, in retrospect, if Fredericks had been handled differently by the various systems, then he may not have had the opportunity to murder Christopher Stephenson.

While all these issues were being examined, it became clear that even if Fredericks had been managed differently, he would still have been released eventually and the only difference would have been that he murdered another child instead of Christopher Stephenson.

I feel reasonably confident that certain conclusions can be made from the evidence:

- 1) Joseph Fredericks was a psychopath and homosexual pedophile.
- 2) There are other dangerous sexual predators like him in Canada, e.g. Olson, Sweeney, Stanton and Worth.
- 3) It is possible to identify in advance that these dangerous sexual predators will continue to commit offences if they are set free.
- 4) At this time there is no effective treatment or cure for this group of individuals. In fact, treatment often makes them worse, as it seemed to do in the Fredericks' case.
- 5) Society and children in particular must be protected from these individuals.

Accordingly, the Jury decided to make many recommendations that would improve the present system's ability to better deal with dangerous sexual predators, like Joseph Fredericks.

However, of critical importance is the fact that the Jury also point out in their Verdict that even these changes will not fully deal with the problem of dangerous sexual predators and that in fact new legislation is needed in Canada to properly deal with this problem.

I will now deal in detail with the reasons for each recommendations in order.

GENERAL COMMUNITY PROTECTION RECOMMENDATIONS

REASON FOR RECOMMENDATION # 1

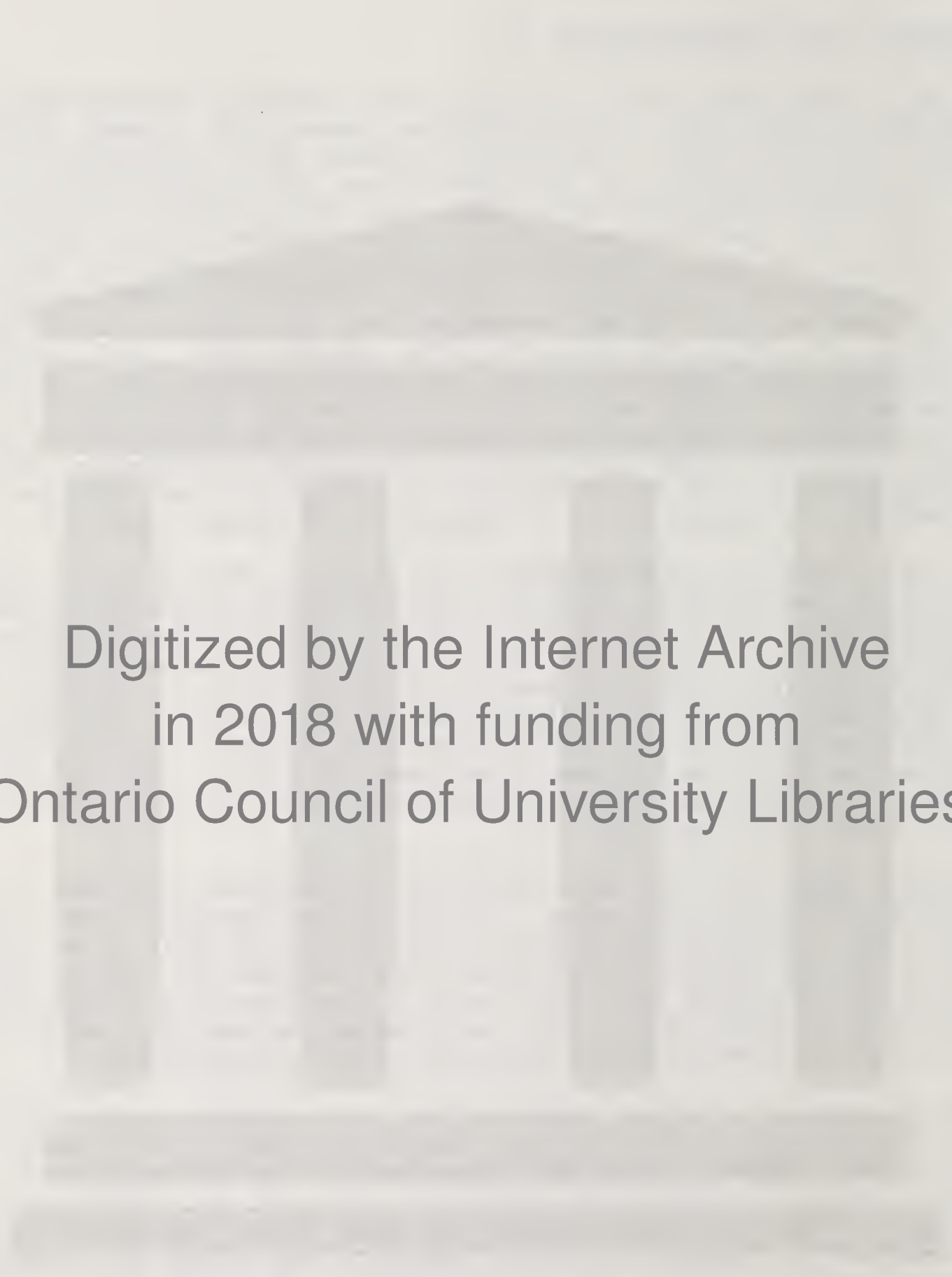
This is the most significant and far reaching recommendation put forward by the Jury. The evidence showed that Joseph Fredericks, aged forty-six (46), had been diagnosed as a psychopathic homosexual pedophile in his late teens and until he was released on mandatory supervision in March of 1988, he had spent his entire life institutionalized, either in the Mental Health system in Ontario or the Correctional system both Provincial and Federal as a result of his sexually violent behaviour. The evidence presented at the Inquest revealed that he sexually attacked young children any time he was given the opportunity. Initially Fredericks was detained under the Mental Health Act. After substantial changes were made to the Mental Health Act in 1978, it was felt by the various psychiatrists treating Fredericks that they could no longer justify his continued involuntary detention. Attempts were made to gradually re-integrate him into the community by placing him in hospitals of lesser security.

In 1983, while at the Kingston Psychiatric Hospital he eloped and sexually assaulted a ten year old boy using force and assaulted a fifteen year old girl at knife point. He was sentenced to twenty-two (22) months in the Ontario Correctional system for his assault on the girl, but was not charged with the sexual assault of the boy because the witness would not testify. In due course, he was released on parole to Riverside House in Ottawa and while there, he took one of the house dogs on a walk and raped an eleven year old boy after threatening that he would have the dog tear him limb from limb.

Charges were laid in this case and Fredericks received a five (5) year penitentiary sentence. Serious consideration was given to bringing a dangerous offender application at this time, but it could not be pursued because the boy refused to testify and returned to Sweden with his father. He therefore received a definite sentence and would be released on warrant expiry date. He could only be further detained if he re-offended.

The dangerous offender application can only be applied following conviction and in lieu of any other sentence. In a sense it is front end loaded. Once the opportunity for bringing an application for dangerous offender has past and sentence has been imposed, then the opportunity has gone until the next offence. Consequently, there is an end point to the criminal justice system when a fixed sentence has past. It is at this 'end point' where the community becomes exposed to sexual predators like Joseph Fredericks.

A suggestion has been made that the Mental Health Act can be used to detain someone like Joseph Fredericks once he reaches warrant expiry date. Consistent evidence was heard from several of Canada's leading psychiatrists, that in the absence of recent conduct exhibiting a serious threat to cause bodily harm to self or others, they would not commit someone like Fredericks to involuntarily long-term detention under the Ontario Mental Health



Digitized by the Internet Archive
in 2018 with funding from
Ontario Council of University Libraries

https://archive.org/details/mag_00006783

Act. The Court heard evidence about Douglas Worth, a psychopath and sexual sadist, who had been sentenced to a eight (8) year sentence in 1979 for raping a young girl. While he was in prison, his behaviour was such that he was 'gated' and held to warrant expiry date in June 1987. He had stated that he would attend a school yard on release, and chop up a child with an axe and that he would make "Clifford Olson look like a choir boy".

Attempts were made to have Worth committed and certified under the Ontario Mental Health Act. This failed and he was released. Within six months he abducted a young girl called Trina Campbell, ironically also a Brampton resident. He sexually assaulted her, murdered her and then chopped up her body just as he declared he would do while he was still in prison.

Dr. Neil Conacher, a Correctional Services Canada psychiatrist, also testified he attempted to commit other inmates with profiles similar to Worth and Fredericks on several subsequent occasions as they approached their warrant expiry date. These attempts failed and all of them went on to commit serious offenses such as arson, sexual assault and murder.

Mr. Gilbert Sharpe, Director of Legal Services for the Ministry of Health gave evidence about the Mental Health Act in its present form. He testified that while the Mental Health Act is designed to deal with short term acute situations, it could be applied theoretically to deal with people like Fredericks. He did admit however, that it would be difficult to have someone committed under the present section 15 of the Mental Health Act when that person had been detained for a number of years, as a result of a fixed sentence.

The end result was that the Jury felt there was a gap in the present legislation which allowed dangerous sexual predators like Fredericks and Worth to go free, even though in the opinion of many of the experts such as Dr. Quinsey, Dr. Howard Barbaree, Dr. William Marshall, Dr. Neil Conacher and Dr. Angus McDonald, it could be accurately predicted that they would re-offend.

It should be pointed out that at the time of sentencing, when a dangerous offender application must be made, there may still be considerable optimism that treatment will be successful in prison and accordingly the dangerous offender application is not justified. If this argument is accepted and it is realized well into the sentence that this treatment goal has not been reached, then there is no alternative but to release the offender and wait until he re-offends.

The Jury heard evidence from Mr. Canova from the Attorney General's Office in the State of Washington, on how that State dealt with a similar problem (See Appendix A & B of the Verdict).

It was recognized that there is a different division of powers that exist in the United States and that Washington State had jurisdiction for both its Criminal Code and Mental Health Act. It was pointed out that, if Ontario passed such legislation, it could result in a section 15 Charter challenge based on inequality of treatment involving those Federal inmates being released in Ontario who may be subject to consequences which only prevail here and not in other Provinces. It is ironic that in

Canada the Federal Government intended each Province to modify its Mental Health legislation to permit involuntary detention of a mentally disordered accused, who was still considered dangerous, at the expiration of a cap disposition.

The Jury recommended that the Federal and Provincial Governments work in concert to construct constitutionally sound legislation which would ensure the continued protection of the community from this type of sexually violent predator.

REASON FOR RECOMMENDATION # 2

The Jury was concerned that the capping provisions of Bill C-30 (still unproclaimed) would create a maximum period of time during which a mentally disordered accused could be subject to a disposition of the review board. There is a provision which would allow, on proclamation, for a continuation of detention beyond the cap period. However, it is similar to the Dangerous Offender application in that it must be brought at the time of the initial disposition, just as a Dangerous Offender application in the Criminal Code is brought immediately following conviction and prior to sentence. In both situations, if the opportunity is missed at that time then no further opportunity is given to bring such an application. Accordingly, the Jury had concern that capping not be proclaimed until community legislation is enacted or the Mental Health legislation is amended.

REASON FOR RECOMMENDATION #3

Evidence was presented that probation can only be added to sentences of two years less one day, i.e. sentences served in the Provincial system. Ironically, the more dangerous offenders, serving sentences greater than two years, in the Federal penitentiary system have no period of probation following the end of their sentence. It seemed a contradiction to the Jury that restrictions on the dangerous offender are less than those presently in existence for lesser offenders. Accordingly, they felt that after any sentencing (Provincial or Federal) for serious violent offences, that it should be possible to add a probation period of up to a maximum of ten years.

REASON FOR RECOMMENDATION #4

The Jury felt that the treatment and management of sex offenders was fragmented across the country with little co-operation between the Federal and Provincial Governments. Under these circumstances their recommendation obviously makes sense.

REASON FOR RECOMMENDATION #5

Expert witness after expert witness testified that psychopathy and sexual disorders are poorly understood, that significant further research is required and that this research would require a new funding base.

REASON FOR RECOMMENDATION #6

The Jury heard evidence that Joseph Fredericks had been accepted as a baseball coach for young children without any check being carried out on his background. In addition, he was accepted by the John Howard Society as a volunteer without any screening by police authority. They also heard that these volunteer organizations can ask police to do a background check on C.P.I.C. with the consent of the volunteer. If this had been done in Fredericks' case, he would never have been allowed to become a baseball coach to young boys or become a volunteer for the John Howard Society.

RECOMMENDATIONS FOR THE CORRECTIONAL SERVICE OF CANADA AND THE NATIONAL PAROLE BOARD

REASON FOR RECOMMENDATION #7

The evidence indicated that in the case of Joseph Fredericks, one of the three member case management team responsible for him was not in favour of the release plan prepared for him and felt that he should be gated. This dissenting view was not brought to the attention of the Parole Board. Obviously, it would be of assistance to the Board to be aware of the dissenting view.

REASON FOR RECOMMENDATION #8

Presently the case management team is responsible for working with an inmate to prepare a release plan. The same team must then present this plan to the Board and tell them if they have any concerns about it. It was argued at the Inquest that the case management team might have a vested interest in the plan since it was partly their creation and if they spoke against the plan at the Parole Board, then future co-operation of the inmate would be difficult. A number of witnesses admitted that they felt very awkward with their present dual role of assisting the inmate for his early release plan and then perhaps having to argue against the plan at the actual Parole hearing. The opinion was expressed that it made it very difficult to have further dealings with the inmate in preparation of any new release plan.

To avoid this conflicting role of the case management team, the Jury felt that independent counsel should review their decision and also should appear before the National Parole Board to present arguments against the plan, in order to protect the public's interest.

REASON FOR RECOMMENDATION #9

Evidence indicated that presently the Parole Board cannot impose a residency requirement when an inmate is freed on statutory release. Evidence was also presented that the most dangerous inmates are the ones most likely to be kept until their statutory release date before being released. The Jury, in this recommendation, felt that it was inappropriate to let these people right out on the street without any residency requirements. If they had been released before their statutory release date, which normally happens with less dangerous offenders, then residency requirements could be imposed. The argument was put forth by some counsel that it was easier to put these restrictions on people who are not dangerous and therefore were being released early, than it was to have the same restrictions on the most dangerous offenders who were more likely to be kept to their statutory release date.

ORIGINAL ARTICLES

1. The Effect of the Diet on the Course of the Disease in the Case of the Patient with Diabetes Mellitus
2. The Effect of the Diet on the Course of the Disease in the Case of the Patient with Diabetes Mellitus

ORIGINAL ARTICLES

3. The Effect of the Diet on the Course of the Disease in the Case of the Patient with Diabetes Mellitus
4. The Effect of the Diet on the Course of the Disease in the Case of the Patient with Diabetes Mellitus
5. The Effect of the Diet on the Course of the Disease in the Case of the Patient with Diabetes Mellitus

ORIGINAL ARTICLES

6. The Effect of the Diet on the Course of the Disease in the Case of the Patient with Diabetes Mellitus
7. The Effect of the Diet on the Course of the Disease in the Case of the Patient with Diabetes Mellitus
8. The Effect of the Diet on the Course of the Disease in the Case of the Patient with Diabetes Mellitus

REASON FOR RECOMMENDATION #10

This recommendation reflects the evidence indicating that some of Fredericks' psychologists did not keep proper notes on his counselling sessions. Some of the issues discussed with Fredericks during these sessions were of great significance to his future management, but since no record was kept, it was impossible for anyone other than that particular psychologist to assess the significance of the issues. This appears to be a general problem not specific to Fredericks.

REASON FOR RECOMMENDATION #11

This recommendation reflects the evidence that the orders of the National Parole Board regarding Fredericks' release on parole were different from those that appeared on the actual parole certificate. Evidence was also heard that these differences should not be present and that the parole certificate should have on it, verbatim, the decision and orders of the National Parole Board. The Jury obviously felt that this discrepancy would be more easily prevented if the parole certificate itself was prepared and produced by the National Parole Board.

REASON FOR RECOMMENDATION #12

Evidence indicated that the release plan prepared by the National Parole Board for Joseph Fredericks could not in fact be implemented on release. There were some arguments that this information was known prior to Fredericks' release, but was not passed to the National Parole Board. Since there is always a delay between the time the National Parole Board approves the release plan and inmate is actually released, difficulties can arise which will mean the release plan is no longer viable. This is what happened to Joseph Fredericks. He was released on condition that he attend for therapy at the Clarke Institute and in fact this was not available to him on release.

REASON FOR RECOMMENDATION #13

This recommendation is self-explanatory.

REASON FOR RECOMMENDATION #14

Evidence indicated that Fredericks' release plan could not be implemented as ordered but the Parole Board was not notified in this regard. A member of the Parole Board in evidence agreed that this should have been done. The intent of this recommendation is to avoid any confusion as to the Parole supervisor's responsibility in making sure that the Parole Board can be satisfied that their release plan has in fact been implemented or that there are no serious problems with it.

REASON FOR RECOMMENDATION #15

There was much evidence indicating that the Parole Officer responsible for Fredericks had insufficient information about him at the time of his release. The Jury felt that if a parole officer is to do his job properly, he must have as much information as possible about the parolee and obviously should have this in his possession for study before actually taking over the case.

REASON FOR RECOMMENDATION #16

Evidence indicated that release plans often fall apart but there has been no detailed analysis of this issue. As the Jury comment in their reason this information would be of great assistance to the National Parole Board and should be carried out.

REASON FOR RECOMMENDATION #17

As the Jury stated, there was much evidence regarding the lack of proper training of parole officers in dealing with sex offenders. The treatment of this particular group of parolees is complex and clearly parole officers need to be well educated in all aspects of this subject if they are ever to be able to properly supervise this type of parolee.

REASON FOR RECOMMENDATION #18

No further explanation of this recommendation is necessary.

REASON FOR RECOMMENDATION #19

It is of great interest to note that during this Inquest the Jury heard from approximately seventeen (17) psychiatrists and psychologists, many of whom are international experts in the treatment of sex offenders. Unfortunately, this expertise is not being co-ordinated properly and therefore is not being utilized to its maximum potential. I personally feel from listening to the evidence that this should be actively pursued to make the best use of the available excellent experts in this field. Many of these experts feel frustrated about the lack of a co-ordinated national approach.

REASON FOR RECOMMENDATION #20

Joseph Fredericks buggered an eleven year old boy in Ottawa while threatening him with a dog. When Fredericks was later considered for release it was felt that the boy had suffered no 'serious harm' and this was one of the reasons why no application was made to 'gate' Fredericks. Since that time the definition of 'serious harm' has been considerably broadened but the Jury felt that it needs continued refining so that everyone clearly understand its meaning.

REASON FOR RECOMMENDATION #21

This is self-explanatory.

REASON FOR RECOMMENDATION #22

This is self-explanatory.

REASON FOR RECOMMENDATION #23

No further explanation necessary.

REASON FOR RECOMMENDATION #24

No further reason necessary.

REASON FOR RECOMMENDATION #25

Certain witnesses were asked why disciplinary action had not been taken against some members of the team who were supervising Joseph Fredericks. It was indicated that the supervision met the minimum standards. In this recommendation the Jury voiced their concerns that, by taking this approach, the minimum standards automatically become the maximum standards and this should not be encouraged.

REASON FOR RECOMMENDATION #26

No further explanation needed.

REASON FOR RECOMMENDATION #27

At various times, while Fredericks was on parole, conflicting opinions were given regarding his treatment and his risk to society. This led to an unqualified person having to decide which report to accept. In Fredericks' case this had rather significant results and clearly this problem should have been assessed at a much higher level.

REASON FOR RECOMMENDATION #28

Although there was conflicting evidence as to the ability of the Mental Health Act of Ontario to confine dangerous sex offenders who are about to be freed on statutory release and/or warrant expiry, the Jury still felt that this step should be undertaken, so that no stone should be left unturned in the effort to keep these offenders from being at-large. This was tried in the Doug Worth case but was unsuccessful and he subsequently went on to murder Trina Campbell in Brampton.

REASON FOR RECOMMENDATION #29

This was a recommendation put forward by Counsel for Peel Regional Police who felt strongly that all possible measures should be taken to detain sex offenders in the interim period, until proper legislation such as that in Washington State has

been put in place.

REASON FOR RECOMMENDATION #30

No further explanation necessary.

REASON FOR RECOMMENDATION #31

No further explanation necessary.

REASON FOR RECOMMENDATION #32

No further explanation necessary.

REASON FOR RECOMMENDATION #33

Considerable evidence was heard regarding who issued the order to remove Fredericks from Exodus Link in Toronto and send him back to Warkworth Institution. Eventually, after calling a significant number of witnesses in ascending order of seniority, it was discovered that this direction was given by the Solicitor General himself. The only documentary evidence of this however, was a few words scribbled on a scrap piece of paper which was later found in a Correctional Service of Canada official's desk. The Jury felt this was less than satisfactory.

RECOMMENDATIONS FOR THE ONTARIO MINISTRY OF HEALTH

REASON FOR RECOMMENDATION #34

The Jury heard evidence from a total of seventeen (17) psychiatrists and psychologists, many of whom have national and international reputations and also from Mr. Gilbert Sharpe, Director of Legal Services of the Ontario Ministry of Health and one of the authors and draftsman of the Mental Health Act in its present form, on who could or could not be admitted on an involuntarily basis to a psychiatric facility. Widely different opinions were expressed by the members of this group and it is imperative that all professionals, legal and medical, involved with the Mental Health Act establish more uniform guidelines to prevent such wide discrepancies in the interpretation of the Mental Health Act.

REASON FOR RECOMMENDATION #35

Many of the psychiatrists stated that they felt they have a conflict of interest when they treat a patient and then appear in front of a review board and have to argue the patient's committal should be continued. Many of them also felt that the process was one-sided, in that they were cross-examined by a lawyer representing the patient in his efforts to be released, while no other legal counsel was present to put forward the proper arguments on why the patient should not be released. The Jury felt such legal counsel representing the public should be present, so that the psychiatrist does not have to act as both doctor and his own counsel.

REASON FOR RECOMMENDATION #36

This recommendation should in fact read that it is the responsibility of the PSYCHIATRIC HOSPITAL ADMINISTRATOR to prepare a detailed and accurate summary of patient's admission, treatment and prognosis upon discharge or transfer to another facility.

Much evidence was heard on how scanty, incomplete and false information was transferred on Joseph Fredericks from one psychiatric institution to another, time and time again throughout his twenty-nine (29) year involvement with the Ontario Mental Health system. These inadequate reports were used to make critical decisions regarding the treatment and future placement of Fredericks, compounding the serious problem that already existed.

It was suggested at various times throughout the Inquest that these reports were 'sugar-coated' to enable the transfer of Fredericks to another institution. Irrespective of the reasoning for the scanty reports many professionals had inadequate information on which to make proper judgements on his condition

and treatment. Obviously, if this situation still exists, it should be corrected immediately.

REASON FOR RECOMMENDATION #37

Fredericks committed sexual crimes while being held in various psychiatric facilities, which were not reported to the appropriate law enforcement authorities. The result of this was that when he was arrested in October 1983 for an assault on a fifteen (15) year old girl, he was considered a first time offender and accordingly received a sentence of only twenty-two (22) months. Had the full extent of his sexual predator history being known at that time, history may well had been written differently.

REASON FOR RECOMMENDATION #38

No further explanation necessary.

RECOMMENDATIONS FOR THE ONTARIO MINISTRY OF THE ATTORNEY GENERAL

REASON FOR RECOMMENDATION #39

Having heard all the horrendous evidence regarding sexual assaults on children throughout this Inquest, the Jury has made this recommendation to stress to the Ministry of the Attorney General the importance of continuing to aggressively prosecute all cases of child abuse and sexual assault. This recommendation is not meant in any way to be a criticism of the Ontario Ministry of the Attorney General. No evidence was led to indicate that the Ministry is not presently pursuing this.

REASON FOR RECOMMENDATION #40

After Fredericks raped an eleven (11) year old boy in Ottawa, serious consideration was given by the Crown Attorney to proceeding with a dangerous offender application. The boy was a diplomat's son and almost immediately after the attack the boy returned to his home country and his parents refused to allow him to testify at any up-coming trial. At that time, the defence agreed to a five (5) year sentence provided no dangerous offender application was sought. In view of the fact that the boy would not return to testify this was really an academic point because without his testimony, a conviction was not possible. Accordingly, although the Crown Attorney in question was not happy with the result it was really a case of take the five (5) years or get nothing. At this time, there was never really any real opportunity to pursue a dangerous offender application, because of the circumstances I have outlined above.

The Jury however, still want to remind the Attorney General's Office that they should continue to make aggressive use of Dangerous Offender Provision of the Criminal Code of Canada. I should stress that there was no evidence led at all to indicate that this was not presently being done.

REASON FOR RECOMMENDATION #41

No further explanation of this recommendation is necessary.

REASON FOR RECOMMENDATION #42

No further explanation of this recommendation is necessary.

REASON FOR RECOMMENDATION #43

No further explanation of this recommendation is necessary.

RECOMMENDATIONS FOR THE SOLICITOR GENERAL OF CANADA

REASON FOR RECOMMENDATION #44

No further explanation of this recommendation is necessary.

REASON FOR RECOMMENDATION #45

No further explanation of this recommendation is necessary.

REASON FOR RECOMMENDATION #46

No further explanation of this recommendation is necessary.

RECOMMENDATIONS FOR CANADIAN POLICE FORCES

REASON FOR RECOMMENDATION #47

No further explanation of this recommendation is necessary.

REASON FOR RECOMMENDATION #48

Joseph Fredericks became a baseball coach for young boys and also became a volunteer for the John Howard Society and in that capacity lectured to teenage school children. When these issues were addressed at the Inquest much time was spent discussing how one can screen a volunteer.

One of the methods discussed was to request the local police force to do a background check on volunteers, provided the volunteer gave their consent. It was realized that this takes time and effort and accordingly the Jury have agreed, that if necessary, some minimum charge would be appropriate for this service.

In the evidence of the John Howard Society, it was stated, that the Metropolitan Toronto Police Force will not presently provide this service due to work load.

REASON FOR RECOMMENDATION #49

No further explanation of this recommendation is necessary.

REASON FOR RECOMMENDATION #50

No further explanation of this recommendation is necessary, other than to note, that the Jury strongly endorsed this recommendation.

RECOMMENDATIONS FOR THE PEEL REGIONAL POLICE SERVICE

At the time of Christopher Stephenson's abduction, Peel Regional Police did not have a central computer system containing all the data on parolees in their area. Since that time however they have developed such a system.

REASON FOR RECOMMENDATION #51

In this recommendation, the Jury are simply suggesting that the Peel Regional Police continue to expand and refine the retrieval system presently available to them.

REASON FOR RECOMMENDATION #52

At one stage of the Inquest there was some confusion about the telephone numbers the Peel Regional Police had for the different parole offices. It appeared later in the Inquest that this matter had been resolved and counsel for Peel Regional Police in his closing summation indicated that presently Peel Regional Police have a current and complete listing of all Federal and Provincial Parole Offices, business and after hours numbers. I think the Jury are just re-enforcing the value of this information in this recommendation.

REASON FOR RECOMMENDATION #53

This recommendation is already in place with the Peel Regional Police and I think the Jury are just stressing its importance by adding this recommendation.

REASON FOR RECOMMENDATION #54

In his closing address the Counsel for Peel Regional Police indicated that this procedure is presently in place. I feel the Jury once again just wanted to stress the importance of this recommendation.

REASON FOR RECOMMENDATION #55

I feel the Jury, having endorsed the present practices of Peel Regional Police, as indicated in Recommendations #51 through #54, are suggesting to the Solicitor General of Ontario that all other police forces should have similar policies in place to assist them in keeping track of all Federal and Provincial parolees in their jurisdiction. The evidence indicated clearly that these measures are of great assistance when a crime is being investigated.

RECOMMENDATIONS FOR THE ONTARIO MINISTRY OF CORRECTIONAL SERVICES

It should be stressed that these recommendations are only directed towards high risk sex offenders held by the Provincial Correctional Services.

REASON FOR RECOMMENDATION #56

Please refer to the explanation given for Recommendation #12, as the same logic applies for this recommendation.

REASON FOR RECOMMENDATION #57

Please refer to the reason given for Recommendation #14 earlier, as the same logic applies in this case.

REASON FOR RECOMMENDATION #58

Parole officers do not always receive the parolee file before the release of the inmate. Obviously, for proper supervision, the parole officer should be familiar with all the details of the case before actually starting the management.

REASON FOR RECOMMENDATION #59

The Ontario Ministry of Correctional Services and the Ontario Parole Board did not retain their files for any significant length of time. In this recommendation the Jury have addressed that issue by suggesting that they retain files for all serious (Level 1 Offenders) for a period of ten (10) years.

It was difficult to address some of the issues that arose while Joseph Fredericks was on provincial parole because there were no records available.

It was realized by the Jury, that since all provincial sentences are less than two (2) years, it would be an impossible task to keep all of their files for ten (10) years and accordingly they have stressed that it is only Level 1 Offenders for whom these files should be kept.

REASON FOR RECOMMENDATION #60

The Ontario Parole Board does not have a twenty-four hour on-call system for parole inquiries, in contrast to the Federal Parole system, which does have such a system. Without this system, it is difficult for a police agency investigating offences to check with the Ontario Parole Board in off-hours.

REASON FOR RECOMMENDATION #61

This recommendation has already been implemented by the Federal Parole Board to the benefit of all concerned and the same logic applies in the opinion of the Jury for the Ontario Parole Board.

REASON FOR RECOMMENDATION #62

The Ontario Parole Board did not have risk assessment criteria to determine which of the releases were high risk and the Jury felt that this would be of significant benefit to both the Ontario Parole Board and the public at-large. This process is already in place in the Federal Parole system.

REASON FOR RECOMMENDATION #63

No further explanation of this recommendation if necessary.

RECOMMENDATIONS FOR THE JOHN HOWARD SOCIETY

REASON FOR RECOMMENDATION #64

Evidence indicated that Joseph Fredericks was taken on as a volunteer for the John Howard Society, Toronto Branch, without any significant knowledge of his criminal and deviant sexual background. While he was a volunteer for the John Howard Society he gave lectures to High School children on the John Howard Society premises.

After the death of Christopher Stephenson the John Howard Society of Ontario reviewed all their policies regarding the use of volunteers and came up with a series of recommendations. These recommendations are included in Appendix C of the Verdict and clearly address and correct all issues that arose in this Inquest regarding the John Howard Society.

REASON FOR RECOMMENDATION #64

This recommendation has already been followed by the John Howard Society of Ontario and the Jury are recommending that all John Howard Societies throughout Canada implement the same guidelines.

REASON FOR RECOMMENDATION #65

Evidence at the Inquest indicated that John Howard Society often deal with sexual offenders and psychopaths and that at the time of their involvement with Fredericks, there was little training in relation to these conditions. Obviously, it would be of importance for the staff to have as much knowledge as possible on how to manage these difficult problems.

REASON FOR RECOMMENDATION #66

No further explanation of this recommendation is necessary.

REASON FOR RECOMMENDATION #67

Evidence indicated that parole officers were aware that Fredericks had some involvement with the John Howard Society, but they did not approach the Society to provide any information to them. Since the parole officer is the one who is aware of the background of the parolee and the risk he may pose the Jury felt that it should be the responsibility of the parole officer to inform the volunteer organization of the parolee's background if he is considered dangerous.

RECOMMENDATIONS FOR FEDERAL/PROVINCIAL CO-OPERATION

REASON FOR RECOMMENDATION #68

No further explanation of this recommendation is necessary.

REASON FOR RECOMMENDATION #69

No further explanation of this recommendation is necessary.

REASON FOR RECOMMENDATION #70

No further explanation of this recommendation is necessary.


REASON FOR RECOMMENDATION #71

I feel in making this recommendation the Jury are trying to make sure that their four and half months of work does not end up gathering dust on a backroom shelf after all the initial media attention as settled.

X X X X X X X X

In closing, I would like to stress once again that this document was prepared solely for the purposes of assisting interested parties in understanding the Jury Verdict. It is worth repeating that it is not the Verdict. Likewise, many of the comments regarding the evidence are my personal recollection of same and are not put forth as actual evidence. If I have made any gross errors I apologize and if this is brought to my attention I will gladly correct the error.

Respectfully submitted,


James T. Cairns, M.D.
Deputy Chief Coroner for Ontario

